

The question was taken.

Mr. GILCHREST. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5, rule I, and the Chair's prior announcement, further proceedings on this motion will be postponed.

JUDGE ISAAC C. PARKER  
FEDERAL BUILDING

Mr. GILCHREST. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1804) to designate the United States Post Office-Courthouse located at South 6th and Rogers Avenue, Fort Smith, AR, as the "Judge Isaac C. Parker Federal Building".

The Clerk read as follows:

H.R. 1804

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. DESIGNATION.**

The United States Post Office-Courthouse located at South 6th and Rogers Avenue, Fort Smith, Arkansas, shall be known and designated as the "Judge Isaac C. Parker Federal Building".

**SEC. 2 REFERENCES.**

Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States Post Office-Courthouse referred to in section 1 shall be deemed to be a reference to the "Judge Isaac C. Parker Federal Building".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Maryland [Mr. GILCHREST] and the gentleman from Ohio [Mr. TRAFICANT] will each be recognized for 20 minutes.

The Chair recognizes the gentleman from Maryland [Mr. GILCHREST].

Mr. GILCHREST. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 1804, a bill to designate the United States Post Office-Courthouse located in Fort Smith, AR, as the "Judge Isaac C. Parker Federal Building." Judge Parker is a legendary figure in Arkansas, and his fame extends to the surrounding States as well. He was a soldier, a lawyer, a member of Congress, and a judge. In 1875 after his retirement from Congress, President Ulysses Grant appointed him Chief Justice of the Utah Territory. However, at the President's request, he resigned to accept appointment to the United States Court for the Western District of Arkansas. The Western District Court had fallen into disrepute due to the actions of Judge Parker's predecessor, Judge William Story. Under the threat of impeachment, Judge Story had departed. The jurisdiction of the court covered the western half of Arkansas and what is now the entire State of Oklahoma. Judge Parker dedicated himself to reestablishing the court as a power in the land. During his service the court disposed of a grand total of 13,500 cases, of which 12,000 were criminal. Of the 12,000 criminal charges, 8,600 resulted in criminal convictions, either by jury trials or guilty

pleas. Judge Parker is best known for his reputation and nickname as the "hanging judge." Reportedly, he sentenced more men to the gallows than any other jurist in United States history. This reputation is particularly interesting in light of reports that he did not believe in capital punishment. But he did believe in the law, and is quoted as saying "I've never hanged a man, it is the law that has done it." Judge Parker died in November 1896. Perhaps nothing illustrates more vividly the legacy of Judge Parker than the request of the citizens of Fort Smith, almost 100 years later, to name the Federal building in their city in his honor. I strongly urge my colleagues to support this bill.

□ 1630

Mr. Speaker, I yield such time as he may consume to the gentleman from Minnesota [Mr. OBERSTAR], the distinguished ranking member.

Mr. OBERSTAR. Mr. Speaker, I thank the gentleman from Ohio [Mr. TRAFICANT], the ranking member on the subcommittee, and the chairman, the gentleman from Maryland [Mr. GILCHREST], for bringing forth this bill.

This is certainly a case of a tribute long delayed and an honor bestowed in a manner that certainly is appropriate. When a man is so great that the people of a community a century later ask that he be memorialized in a particular way, then certainly the Congress ought to respond to that appeal as we are doing today by naming the Federal building at Fort Smith, AR, in honor of Judge Parker, whose great career, whose remarkable career has been spelled out by Chairman GILCHREST.

I urge support of the legislation.

Mr. GILCHREST. Mr. Speaker, I yield such time as he may consume to the gentleman from Arkansas [Mr. HUTCHINSON].

Mr. HUTCHINSON. Mr. Speaker, let me first say I appreciate your assistance in bringing this bill to the floor today. I would also like to thank Chairman SHUSTER, as well as ranking member OBERSTAR and subcommittee ranking member TRAFICANT for their assistance.

This bill, H.R. 1804, would name the Federal building in Fort Smith, AR, after Judge Isaac Parker. Judge Parker is a great figure in Arkansas and the surrounding States. He was a soldier, a Congressman, a lawyer, and a judge.

In 1875 after his retirement from the U.S. Congress, President Grant appointed Isaac Parker as chief justice of the Utah Territory. However, at the request of the President, Parker resigned to accept appointment as judge of the United States Court for the Western District of Arkansas.

The court had fallen into disrepute because of the actions of Parker's predecessor. The President asked Parker to "stay a year or two in Fort Smith and get things straightened out."—Ended up staying 21 years.

When he assumed office Judge Parker dedicated himself to the reestablish-

ment of the court as a power in the land. The court calendar tells the story. It was a court of no vacations except for Sundays and Christmas. During his service the court disposed of a grand total of 13,500 cases, of which 12,000 were criminal. Of the 12,000 criminal charges 8,600 resulted in convictions.

However, Judge Parker is best known for his reputation as the "hanging judge." He unquestionably sentenced more men to the gallows than any other jurist in United States history. His nickname is particularly interesting in light of reports that Parker himself did not believe in capital punishment. But he did believe in the laws, and is quoted as having said, "I've never hanged a man. It is the law that has done it."

Off the bench, Judge Parker was known as a humorous and friendly man, devoted to his family and respected by all as a man of incorruptible integrity. He was active in local affairs and served for several years as president of the Fort Smith School Board.

The year or two that President Grant requested him to stay stretched out to 21, until his death in 1896. He had accomplished the goal of the President, as well as his own, to restore respect to the court and the law of the land, and to safeguard the citizens of his jurisdiction.

Judge Parker is buried in the national cemetery in Fort Smith near the court that he had so faithfully served for over two decades.

Perhaps nothing illustrates the legacy of Judge Parker more than the request of the citizens of Fort Smith, almost 100 years later, to name the Federal building in his honor. This is a remarkable and fitting tribute.

Finally, Mr. Speaker, I would like to take this opportunity to pay tribute to another Arkansan, Mr. Larry Degen. The city of Fort Smith is currently planning events to mark the 100th anniversary of Judge Parker's death. The naming of the city's Federal building is one of the main initiatives that is being planned in connection with this anniversary.

Larry Degen was a very active leader in planning this celebration. In particular, he was one of the first people who contacted me requesting legislation to name the Federal building in honor of Judge Parker.

Larry continued to call and write me, encouraging Congress to move forward with this legislation in time for the anniversary. His last call was on October 27th. Tragically, Larry died on October 31st at the very young age of 47. A businessman, church member, community activist, father, and grandfather, Larry Degen represents the true spirit of the people of Fort Smith. I am sure Judge Parker would've been honored to know that a man of Larry's caliber worked on the legislation that honors his name.

I would urge my colleagues to support this measure.

Mr. TRAFICANT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, there is an old saying: When Judge Parker got through with those cold-blooded killers, there was no recidivism.

We have talked and we have heard the phrase coined so many times in referring to judges throughout America as the hanging judges. Ladies and gentlemen, that is, this was, the hanging judge, and I believe that he was revered not only by his colleagues but also by the frontier community which he served.

I think that he blazed a trail to let everybody respect the law, and sometimes you have got to get people's attention, and I think we have got the Nation's attention now to the contributions made by Judge Parker.

I support this bill and ask all Members to unanimously support the bill.

Mr. Speaker, I yield back the balance of my time.

Mr. GILCHREST. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like again to echo the sentiments of the gentleman from Ohio [Mr. TRAFICANT] that we recognize a man such as Judge Parker who did blaze a trail in the early years of this country to establish justice and law.

I want to thank my colleague, the gentleman from Arkansas [Mr. HUTCHINSON], for being extremely relentless and persistent, consistently, to get this bill pushed through the House. I thank him for all of his efforts. I urge a "yes" vote on this bill.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. EVERETT). The question is on the motion offered by the gentleman from Maryland [Mr. GILCHREST] that the House suspend the rules and pass the bill, H.R. 1804.

The question was taken.

Mr. GILCHREST. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### GENERAL LEAVE

Mr. GILCHREST. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 308, H.R. 255, H.R. 395, H.R. 653, H.R. 840, H.R. 869, H.R. 965, and H.R. 1804, the bills just considered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

#### SENIOR CITIZENS' RIGHT TO WORK ACT OF 1995

Mr. BUNNING of Kentucky. Mr. Speaker, I move to suspend the rules

and pass the bill (H.R. 2684) to amend title II of the Social Security Act to provide for increases in the amounts of allowable earnings under the Social Security earnings limit for individuals who have attained retirement age, and for other purposes, as amended.

The Clerk read as follows:

H.R. 2684

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

*This Act may be cited as the "Senior Citizens' Right to Work Act of 1995".*

#### SEC. 2. INCREASES IN MONTHLY EXEMPT AMOUNT FOR PURPOSES OF THE SOCIAL SECURITY EARNINGS LIMIT.

(a) INCREASE IN MONTHLY EXEMPT AMOUNT FOR INDIVIDUALS WHO HAVE ATTAINED RETIREMENT AGE.—Section 203(f)(8)(D) of the Social Security Act (42 U.S.C. 403(f)(8)(D)) is amended to read as follows:

"(D) Notwithstanding any other provision of this subsection, the exempt amount which is applicable to an individual who has attained retirement age (as defined in section 216(l)) before the close of the taxable year involved shall be—

"(i) for each month of any taxable year ending after 1995 and before 1997, \$1,166.66%;

"(ii) for each month of any taxable year ending after 1996 and before 1998, \$1,250.00,

"(iii) for each month of any taxable year ending after 1997 and before 1999, \$1,333.33%;

"(iv) for each month of any taxable year ending after 1998 and before 2000, \$1,416.66%;

"(v) for each month of any taxable year ending after 1999 and before 2001, \$1,500.00,

"(vi) for each month of any taxable year ending after 2000 and before 2002, \$2,083.33%, and

"(vii) for each month of any taxable year ending after 2001 and before 2003, \$2,500.00."

(b) CONFORMING AMENDMENTS.—

(1) Section 203(f)(8)(B)(ii) of such Act (42 U.S.C. 403(f)(8)(B)(ii)) is amended—

(A) by striking "the taxable year ending after 1993 and before 1995" and inserting "the taxable year ending after 2001 and before 2003 (with respect to individuals described in subparagraph (D)) or the taxable year ending after 1993 and before 1995 (with respect to other individuals)"; and

(B) in subclause (II), by striking "for 1992" and inserting "for 2000 (with respect to individuals described in subparagraph (D)) or 1992 (with respect to other individuals)".

(2) The second sentence of section 223(d)(4)(A) of such Act (42 U.S.C. 423(d)(4)(A)) is amended by striking "the exempt amount under section 203(f)(8) which is applicable to individuals described in subparagraph (D) thereof" and inserting the following: "an amount equal to the exempt amount which would be applicable under section 203(f)(8), to individuals described in subparagraph (D) thereof, if section 2 of the Senior Citizens' Right to Work Act of 1995 had not been enacted".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to taxable years ending after 1995.

#### SEC. 3. ESTABLISHMENT OF DISABILITY INSURANCE CONTINUING DISABILITY REVIEW ADMINISTRATION REVOLVING ACCOUNT.

(a) CONTINUING DISABILITY REVIEW ADMINISTRATION REVOLVING ACCOUNT FOR TITLE II DISABILITY BENEFITS IN THE FEDERAL DISABILITY INSURANCE TRUST FUND.—

(1) IN GENERAL.—Section 201 of the Social Security Act (42 U.S.C. 401) is amended by adding at the end the following new subsection:

"(n)(1) There is hereby created in the Federal Disability Insurance Trust Fund a Continuing Disability Review Administration Revolving Account (hereinafter in this subsection referred to as the 'Account'). The Account shall consist ini-

tially of \$300,000,000 (which is hereby transferred to the Account from amounts otherwise available in such Trust Fund) and shall also consist thereafter of such other amounts as may be transferred to it under this subsection. The balance in the Account shall be available solely for expenditures certified under paragraph (2).

"(2)(A) Before October 1 of each calendar year, the Chief Actuary of the Social Security Administration shall—

"(i) estimate the present value of savings to the Federal Old-Age and Survivors Insurance Trust Fund, the Federal Disability Insurance Trust Fund, the Federal Hospital Insurance Trust Fund, and the Federal Supplementary Medical Insurance Trust Fund which will accrue for all years as a result of cessations of benefit payments resulting from continuing disability reviews carried out pursuant to the requirements of section 221(i) during the fiscal year ending on September 30 of such calendar year (increased or decreased as appropriate to account for deviations of estimates for prior fiscal years from the actual amounts for such fiscal years), and

"(ii) certify the amount of such estimate to the Managing Trustee.

"(B) Upon receipt of certification by the Chief Actuary under subparagraph (A), the Managing Trustee shall transfer to the Account from amounts otherwise in the Trust Fund an amount equal to the estimated savings so certified.

"(C) To the extent of available funds in the Account, upon certification by the Chief Actuary that such funds are currently required to meet expenditures necessary to provide for continuing disability reviews required under section 221(i), the Managing Trustee shall make available to the Commissioner of Social Security from the Account the amount so certified.

"(D) The expenditures referred to in subparagraph (C) shall include, but not be limited to, the cost of staffing, training, purchase of medical and other evidence, and processing related to appeals (including appeal hearings) and to overpayments and related indirect costs.

"(E) The Commissioner shall use funds made available pursuant to this paragraph solely for the purposes described in subparagraph (C)."

(2) CONFORMING AMENDMENT.—Section 201(g)(1)(A) of such Act (42 U.S.C. 401(g)(1)(A)) is amended in the last sentence by inserting "(other than expenditures from available funds in the Continuing Disability Review Administration Revolving Account in the Federal Disability Insurance Trust Fund made pursuant to subsection (n))" after "is responsible" the first place it appears.

(3) ANNUAL REPORT.—Section 221(i)(3) of such Act (42 U.S.C. 421(i)(3)) is amended—

(A) by striking "and the number" and inserting "the number";

(B) by striking the period at the end and inserting a comma; and

(C) by adding at the end the following: "and a final accounting of amounts transferred to the Continuing Disability Review Administration Revolving Account in the Federal Disability Insurance Trust Fund during the year, the amount made available from such Account during such year pursuant to certifications made by the Chief Actuary of the Social Security Administration under section 201(n)(2)(C), and expenditures made by the Commissioner of Social Security for the purposes described in section 201(n)(2)(C) during the year, including a comparison of the number of continuing disability reviews conducted during the year with the estimated number of continuing disability reviews upon which the estimate of such expenditures was made under section 201(n)(2)(A)."

(b) EFFECTIVE DATE AND SUNSET.—

(1) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply for fiscal years beginning on or after October 1, 1995, and ending on or before September 30, 2002.

(2) SUNSET.—Effective October 1, 2002, the Continuing Disability Review Administration